

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

645E0063

## HOUSE BILL NO. 1010

Introduced by: The Committee on Local Government at the request of the Secretary of  
State

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning appointments to  
2 office vacancies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 3-4-6 be amended to read as follows:

5 3-4-6. Appointments to state offices shall be made in writing and shall continue for the  
6 remainder of the unexpired term of office. Unless otherwise provided by law, all other  
7 appointments shall be made in writing and shall continue until the next general election and until  
8 a successor is elected and qualified. A vacancy must occur prior to ~~July~~ June first in an  
9 even-numbered year, other than in a year when the term of office would normally expire, for the  
10 office to be filled by election for the remainder of the unexpired term. Any person elected to an  
11 office that was previously vacant shall take office in the year following the election on the day  
12 of that year when a full term for that office would normally commence.

13 Appointments to state offices shall be filed with the secretary of state. Appointments to  
14 county offices shall be filed in the office of the county auditor and entered in the minutes of the  
15 commissioners' proceedings.

1       Section 2. That § 7-8-2 be amended to read as follows:

2       7-8-2. The nomination and election of county commissioners shall be by a vote of the voters  
3 of the district of which such candidate is a resident voter. However, if any county commissioner  
4 moves from the district to which such person was elected or if any county commissioner fails to  
5 attend the commission meetings for four consecutive months, the office shall be declared vacant  
6 and such vacancy shall be filled ~~for the unexpired term in the manner provided by law pursuant~~  
7 to chapter 3-4.